

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

UNITED STATES OF AMERICA, <i>ex. rel.</i>	)	
THOMAS W. FULBRIGHT,	)	
	)	
Plaintiffs,	)	
v.	)	Civil Case No. 14-cv-00163-SRB
	)	
ODYSSEY HEALTHCARE, INC.,	)	
GENTIVA HEALTH SERVICES, INC.,	)	<b><u>FILED UNDER SEAL</u></b>
	)	
Defendants.	)	

**ORDER**

The United States having declined to intervene in this action pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), the Court rules as follows:

IT IS ORDERED that,

1. The complaint be unsealed and served upon defendants by the relator;
2. All other contents of the Court's file in this action remain under seal and not be made public or served upon defendants, except for this Order and The United States' Notice of Election to Decline Intervention, which the relator will serve upon defendants only after service of the complaint;
3. The seal be lifted as to all other matters occurring in this action after the date of this Order;
4. The parties shall serve all pleadings and motions filed in this action, including supporting memoranda, upon the United States, as provided in 31 U.S.C. § 3730(c)(3). The

United States may order any deposition transcripts and is entitled to intervene in this action, for good cause, at any time;

5. The parties shall serve all notices of appeal upon the United States;
6. All orders of this Court will be sent to the United States; and that
7. Should the relator or the defendants propose that this action be dismissed, settled, or otherwise discontinued, the Court will solicit the written consent of the United States before ruling or granting its approval.

IT IS SO ORDERED.

  
STEPHEN R. BOUGH, DISTRICT JUDGE  
UNITED STATES DISTRICT COURT

Dated: Oct. 22, 2015